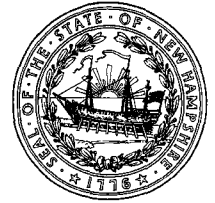




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

April 19, 2005

LETTER OF DEFICIENCY #WSEB 05-039
Certified Mail #7099 3400 0003 0689 4167

Jeffrey Philbrick
Colonial Poplin Nursing Home
Box 101
Fremont NH 03044

Subject: Fremont - Public Water System: Colonial Poplin Nursing Home (EPA #0874020)

Dear Mr. Philbrick:

The records of the NH Department of Environmental Services (DES) show that Colonial Poplin Nursing Home is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rules Env-Ws 326 and 327. Pursuant to Env-Ws 351, the failure to submit a chemical sample requires that public notice of such failure be given to all consumers.

DES records show that the subject water system failed to submit the following chemical sample result for the following monitoring period (calendar quarter):

Quarter 4 2004 – Nitrates and Volatile Organic Compounds

As a result of the failure to submit the above-described samples, a Notice of Violation (NOV), dated **February 16, 2005**, was sent to you (copy enclosed). The NOV requested that you immediately submit the above-described samples as make-up samples. To date, DES has not received the make-up sample results, thus placing the water system in violation of Env-Ws 326 and 327. DES believes the monitoring/reporting deficiencies can be addressed by taking the following actions:

1. **By April 29, 2005**, submit the Nitrate and Volatile Organic Compounds samples as "make-up samples" to the State laboratory or a State-certified laboratory. Please use the enclosed analysis result form when submitting the samples to your laboratory.
2. **By April 29, 2005**, provide proof of public notice to DES for failure to submit Quarter 4 2004 Nitrate and Volatile Organic Compounds samples, as specified on the enclosed form.

In the event compliance is not achieved within this period, DES may initiate formal action against you, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

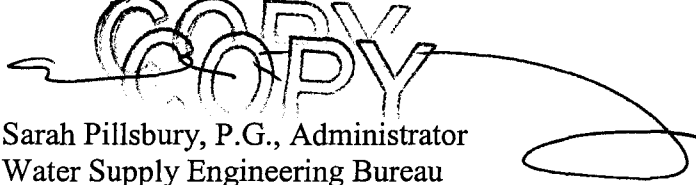
Please note that submission of the 2004 Nitrate and Volatile Organic Compounds "make-up samples" does NOT relieve you of your obligation to submit 2005 Nitrate, Nitrite and Volatile Organic Compounds samples during the Fourth Quarter (October to December).

The proof of public notice as requested above should be addressed as follows or faxed to (603) 271-5171:

Kelley Kugel
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions regarding this letter, please contact Kelley Kugel at (603) 271-6703 or by email at kkugel@des.state.nh.us.

Sincerely,


Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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Encls: Notice of Violation, dated February 16, 2005
Analysis Request Form – make-up version
Public Notice Form
Master Sampling Schedule

cc: ✓Gretchen Hamel, DES Legal Unit (w/o encl.)
Gertrude Butler, Fremont Health Officer (w/o encl.)
EPA, Region 1 (w/o encl.)
File